

## **Diocese of Fort Worth COPYRIGHT POLICY**

It is unethical and illegal to reproduce copyrighted texts, music and resources by any means without written permission of the copyright owner. The fact that these duplicated materials are not for sale but for private use does not alter the legal or moral situation of copying without permission.

This policy includes **all** current and future technologies, such as audiotapes, videotapes, laser disks, computer floppy disks and programs, and Internet resources.

The policies incorporated into the Pastoral Manual pertain to **all** professional and volunteer ministers in the Parish and the Diocese.

It is the intent of the Diocese of Fort Worth to comply with the provisions of the current copyright laws and Congressional guidelines from the Copyright Act of October 19, 1976 (Public Law 94-553). Teaching professionals and parish ministers are responsible for knowing the fair use guidelines of copyright law.

The Parish and Diocese direct that the employees comply with all provisions of Title 17 of the United States Code entitled "Copyrights," and other Federal legislation and guidelines related to the duplication, retention, and use of copyrighted materials. The infringement of copyright and plagiarism of any sort by diocesan employees is prohibited.

The Diocese further directs that:

- Unlawful copies of copyrighted material may not be reproduced on diocesan-owned equipment.
- Unlawful copies of copyrighted material may not be used with diocesan-owned equipment, within diocesan-owned facilities, or at diocesan-sponsored functions.
- The legal and/or insurance protection of the Diocese will not be extended to employees who unlawfully copy and use copyrighted materials.

Employees who make and/or use copies of copyrighted materials in their jobs are expected to be familiar with published provisions regarding fair use or public display, and are expected to be able to provide, upon request, the justification under Sections 107 or 110 of United States Copyright 17 for copies that have been made or used. Current copyright information is available at the United States Copyright Office website <http://lcweb.loc.gov/copyright>. Copyright circulars explaining the laws are available free of charge from the United States Copyright Office, (202) 707-9100. Current copyright circulars are maintained at the Media Library of the Catholic Center, (817) 560-3300.

Employees who use copyrighted materials which do not fall within the fair use or public display guidelines must be able to substantiate that the materials meet one of the following tests:

- The individual employee or the Diocese has purchased the materials from an authorized vendor, and a record of the purchase exists.
- The materials are copies covered by a licensing agreement between the copyright owner and the Diocese or the individual employee.

- The materials are being reviewed or demonstrated by the user to reach a decision about possible future purchase or licensing, and a valid agreement exists which allows for such use.
- Fair use guidelines are established in the 1976 Copyright Law, Section 107. Section 107 states in part "Notwithstanding the provisions of sections 106 and 106A, the fair use of a copyrighted work, including such use by reproduction in copies...for purposes such as criticism, comment, news reporting, teaching (including multiple classroom copies), scholarship, or research, is not an infringement of copyright." Unauthorized use is considered "fair use" according to:
  - The purpose and character of use;(commercial and/or non-profit)
  - The nature of the copyrighted work;
  - The amount and substantiality of the portion used in relation to the copyrighted work as a whole;
  - The effect of the use on the potential market for, or value of, the copyrighted work.

The following warning of copyright should be reproduced verbatim and displayed at diocesan-owned copy machines.

#### **Notice Warning Concerning Copyright Restrictions**

The copyright law of the United States (Title 17, United States Code) governs the making of photocopies or other reproductions of copyrighted material.

Under certain conditions specified in the law, libraries and archives are authorized to furnish a photocopy or other reproduction. One of these specified conditions is that the photocopy or reproduction is not to be "used for any purpose other than private study, scholarship, or research." If a user makes a request for, or later uses, a photocopy or reproduction for purposes in excess of "fair use," that user may be liable for copyright infringement.

This institution reserves the right to refuse to accept a copying order if, in its judgment, fulfillment of the order would involve violation of copyright law.